

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

DARRELL AMOS TAITE, #05831-003

PETITIONER

VERSUS

CIVIL ACTION NO. 5:10-cv-154-DCB-MTP

BRUCE PEARSON, Warden

RESPONDENT

ORDER

This matter is before the Court on Petitioner's Motion for Order [5] filed December 8, 2010. In his Motion [5], Petitioner requests that this Court give his petition for habeas relief "high priority in the court's calendar." Having reviewed the Motion [5] as well as the record, this Court finds that the Motion [5] will be denied for the following reason.

A Final Judgment [4] was entered on December 8, 2010, dismissing the instant civil action prior to the Motion [5] being filed. Therefore, this Court is without jurisdiction to consider the merits of Petitioner's Motion [5]. See United States v. Early, 27 F.3d 140, 142 (5th Cir. 1994) (holding that a motion filed in a closed case is to be considered "a meaningless, unauthorized motion"). Even if the Motion [5] was filed prior to the Memorandum Opinion [3] and Final Judgment [4] on December 8, 2010, it is clear that the Motion [5] is moot and would be denied because a decision has been entered in the instant civil action. Therefore, as a initial matter this Court finds that there is no jurisdictional basis for Petitioner filing the instant Motion [5] and moreover, a decision concerning the instant habeas petition

has been rendered. Consequently, the Motion [5] is denied. See
Id. Accordingly, it is

ORDERED AND ADJUDGED that the Motion [5] is **denied**.

SO ORDERED AND ADJUDGED this the 10th day of December,
2010.

s/David Bramlette
UNITED STATES DISTRICT JUDGE